

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THOMAS P. HIGGINS,
Plaintiff,

v.

CITY OF PHILADELPHIA, et al.,
Defendants.

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CIVIL ACTION
NO. 18-2858

ORDER

AND NOW, this 13th day of August, 2019, upon consideration of Defendants' Second Motion to Dismiss for Failure to State a Claim (ECF No. 8), Defendants' Motion to Strike the Second Amended Complaint (ECF No. 12), Plaintiff's Opposition to Defendants' Motion to Strike the Second Amended Complaint and Cross-Motion *Nunc Pro Tunc* for Leave to File Second Amended Complaint (ECF No. 14), Defendants' Amended Motion to Strike the Second Amended Complaint (ECF No. 15), and Plaintiff's Opposition to Defendants' Amended Motion to Strike the Second Amended Complaint (ECF No. 18), it is hereby **ORDERED** as follows:.

1. Defendants' Second Motion to Dismiss for Failure to State a Claim (ECF No. 8) is **GRANTED**;
2. Defendants' Motion to Strike the Second Amended Complaint (ECF No. 12) is **GRANTED**;
3. Plaintiff's Opposition to Defendants' Motion to Strike the Second Amended Complaint and Cross-Motion *Nunc Pro Tunc* for Leave to File Second Amended Complaint (ECF No. 14) is **DENIED with prejudice**.

4. The Clerk of Court shall **CLOSE** this case for statistical and all other purposes.

BY THE COURT:

/s/ C. Darnell Jones, II
C. DARNELL JONES, II J.